

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION OF THE	)	CASE NO.
SERVICE, RATES AND FACILITIES OF	)	2021-00370
KENTUCKY POWER COMPANY	)	

ORDER

A formal conference was held in this matter on September 23, 2021. Kentucky Power Company (Kentucky Power), the Attorney General of the Commonwealth of Kentucky, by and through the Office of Rate Intervention (Attorney General), Kentucky Industrial Utility Customers, Inc. (KIUC), and Sierra Club participated in the formal conference. At the conclusion of the formal conference, the Commission established a procedural schedule for the formal hearing scheduled for October 5, 2021, at 9 a.m., Eastern Daylight Time, and for the processing of this matter.

The Commission finds that Kentucky Power should present witnesses to testify on the following topics at the October 5, 2021 formal hearing:

1. How American Electric Power's (AEP) strategic review of Kentucky assets has impacted Kentucky Power's operations, service, financial, planning, and business decisions, including those related to distribution, transmission and generation functions.
2. What actions Kentucky Power has taken as a result of the announced strategic review.
3. What decisions Kentucky Power has made that it otherwise would not have absent the strategic review.

4. Which documents will be implicated should the strategic review result in AEP's divestment of Kentucky Power, and how those documents will affect Kentucky Power and their customers. Those documents may include, but are not limited to the Mitchell Operating Agreement, AEP East Transmission Owners' Agreement filed with FERC, and any PJM governing documents.

5. The follow-on impact to Kentucky Power and its customers should it become its own PJM zone, including the interaction with the PJM base residual auction (BRA).

The Commission further finds that Kentucky Power shall present the following witnesses to testify at the October 5, 2021 hearing:

a. Brett Mattison, to testify regarding Kentucky Power's operations, planning, service, facilities, business decisions and other related matters.

b. Gary Spitznogle, to testify regarding the Mitchell Environmental Compliance Plans of Kentucky Power and Wheeling Power, and other related matters.

c. Any other AEP employee, Kentucky Power employee or company agent that can provide relevant information for the Commission's review in this matter as it relates to the information sought, above.

The Commission also finds that counsel for Kentucky Power should attend the hearing in person, and that Kentucky Power's witnesses may attend in person or by videoconference.

Finally, the Commission finds that the parties may call witnesses in addition to the witnesses listed above.

IT IS THEREFORE ORDERED that:

1. The parties may file written direct testimony on or before September 30, 2021.

2. The parties shall file a witness list and summary of the anticipated witness testimony no later than October 1, 2021.

3. If rebuttal witness testimony will be offered at the October 5, 2021 hearing, the parties shall file a rebuttal witness list and summary of the anticipated rebuttal witness testimony no later than October 4, 2021.

4. The parties shall file notice identifying who will attend the hearing and whether they will attend in person or by videoconference no later than October 1, 2021.

5. Counsel for Kentucky Power shall file a motion requesting confidential treatment of the September 23, 2021 formal conference video or notice that confidential treatment of the formal conference video is not requested no later than October 22, 2021.

6. The parties shall file a memorandum brief in support of their respective position's regarding the time period that should be provided for notice of future hearings in this matter on or before October 15, 2021.

7. Immediately subsequent to filing each ten-day status report in Case No. 2021-00004, pursuant to Item 1 in Appendix A of the Commission's order in that matter, Kentucky Power shall file a notice of filing in this case with the documents included in that most-recent 10-day status report.

By the Commission



ATTEST:

  
Executive Director

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